IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA ALEXANDRIA DIVISION

UNITED STATES OF AMERICA

v.

UNDER SEAL

WILLIAM ANTHONY MCCOY, a/k/a, "Squilz,"

Case No. 1:24-mj-134

and

PHILLIP DONNELL MOSBY,

Defendants.

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT AND ARREST WARRANTS

I, Randall M. Mason, Jr., being first duly sworn, depose and state as follows:

INTRODUCTION

- 1. This affidavit is submitted in support of a criminal complaint and related arrest warrants charging that, from at least in or around March 2023 and continuing through the present, within the Eastern District of Virginia and elsewhere, the defendants, PHILLIP DONNELL MOSBY ("MOSBY") and WILLIAM ANTHONY MCCOY ("MCCOY"), a/k/a "Squilz," did knowingly and intentionally combine, conspire, confederate, and agree with each other and others, known and unknown, to distribute 400 grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (commonly referred to as fentanyl), a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 846.
- 2. I am a Task Force Officer with the Drug Enforcement Administration ("DEA") and have been since August 2018. I have been a sworn police officer with the Arlington County Police

Department ("ACPD") since July 2007. I am currently assigned to Enforcement Group 12 of the DEA's Washington Field Division. As a Task Force Officer with DEA, I am "an investigative or law enforcement officer" of the United States within the meaning of Title 18, United States Code, Section 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in Section 2516 of Title 18, United States Code.

- 3. During my time in law enforcement, I have investigated violations of federal and state narcotics laws. I have participated in numerous investigations involving narcotics-related offenses, which have resulted in the seizure of illegal drugs, drug proceeds in the form of United States currency, weapons, and other evidence of criminal activity. My experience includes the execution of search warrants. These investigations have led to the arrest and conviction of drug distributors and users in the General District, Juvenile and Domestic Relations, and Circuit Courts of Arlington County, Virginia, as well as the United States District Court for the Eastern District of Virginia. I have testified at trials, in grand jury proceeding, and at preliminary hearings. I have been certified as an expert in the distribution of narcotics in Arlington County General District and Circuit Courts, as well as the Circuit Court of Alexandria. Through my training and experience, I am familiar with the actions, habits, traits, methods, and terminology utilized by the traffickers and abusers of controlled dangerous substances.
- 4. Based upon this experience, I have become knowledgeable of the methods and modes of narcotics operations, and the language and patterns of drug abuse and trafficking. Through my employment with the DEA and ACPD, I have gained knowledge in the use of various investigative techniques including the use of wiretaps, physical surveillance, undercover agents, confidential informants and cooperating witnesses, the controlled purchases of illegal narcotics,

electronic surveillance, consensually monitored recordings, investigative interviews, financial investigations, the service of administrative and grand jury subpoenas, and the execution of search and arrest warrants.

5. The facts in this Affidavit come from my personal observations, my training and experience, my review of documents, and information obtained from other agents and law enforcement personnel. This Affidavit is intended to show merely that there is probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

BACKGROUND CONCERNING FENTANYL PILLS

- 6. Fentanyl is a Schedule II controlled substance and is a synthetic opioid pain reliever that comes in pharmaceutical forms that include transdermal patches and lozenges. Fentanyl is typically used to treat severe pain. Fentanyl is estimated to be 50 to 100 times more powerful than morphine, and like other opioids it has strong addictive potential. In addition to legitimate pharmaceutical production, fentanyl is also being produced in clandestine labs domestically and abroad and distributed through traditional opioid drug distribution networks, including but not limited to distribution by means of common carrier services such as the United States Postal Service, UPS, FedEx, and others.
- 7. The most prolific form of fentanyl seen by law enforcement in this region in recent years is in the form of fake oxycodone pills containing fentanyl. These pills are typically round blue pills imprinted with "M" and "30" and mimic the markings associated with pharmaceutical oxycodone 30mg pills. Common slang terminology used to reference these fake oxycodone pills

3

¹Law enforcement is also commonly encountering fentanyl contained in a wide array of substances that are purported to be either other illicit narcotics or other types of pills/tablets that are in fact counterfeit pills containing fentanyl and which are designed to mimic the appearance of pharmaceutical medicines.

containing fentanyl include, but are not limited to: "blues" "M-30s," "30s" "Perc's," and "Perc-30's." "Perc" is a commonly used slang reference that is short for "Percocet" which is a name brand prescription pain killer that contains oxycodone.

SOURCES OF INFORMATION

- 8. Special Agents of the DEA, the Bureau of Alcohol, Tobacco, Firearms, and Explosives ("ATF"), and local law enforcement officers have received information concerning the illegal drug trafficking activities of MCCOY and MOSBY from one confidential cooperating source ("CS-1"). For the purposes of this affidavit, all cooperating sources will be referred to in the masculine gender, regardless of whether CS-1 is in fact male or female.
- 9. CS-1 has proven to be reliable and has worked on numerous other ATF cases with success. CS-1 is a paid informant and is not working off any charges. CS-1 has a felony conviction. With respect to the instant case, CS-1's information concerning MOSBY and MCCOY has been corroborated by information obtained from various public databases, information obtained through administrative subpoenas, physical surveillance, the use of an undercover officer, and consensually monitored communications. CS-1's information has never been found to be false or misleading. For these reasons, I consider CS-1 to be reliable.

PROBABLE CAUSE

I. Background of the Investigation

10. In March 2023, under the direction and control of law enforcement, CS-1 was instructed to attempt to identify distributors of controlled substances and/or firearms. CS-1 made contact with MCCOY at a 7-Eleven in Fairfax County, Virginia, within the Eastern District of Virginia. Through conversation with MCCOY, CS-1 learned that MCCOY had access to numerous types of narcotics. The two exchanged phone numbers for future contact. MCCOY

gave CS-1 a number ending in x4473 ("MCCOY TELEPHONE"). That number was an active account with T-Mobile. Administrative subpoena returns from T-Mobile listed MCCOY as the number's subscriber.

A. Controlled purchase of 100 counterfeit pills on March 14, 2023

- 11. On or about March 11, 2023, under the direction and control of law enforcement, CS-1 called MCCOY on MCCOY TELEPHONE and asked if MCCOY had any "blues" or "Percs." MCCOY responded, "Yeah I got some." CS-1 expressed an interest in buying the "Percs." MCCOY responded, "Let me call my bro." Later that day, MCCOY stated that his "man" was out of town. CS-1 and MCCOY rescheduled the deal.
- 12. On or about March 12, 2023, CS-1 contacted MCCOY to arrange the purchase of approximately 100 pills for \$600. On or about March 14, 2023, MCCOY agreed to meet CS-1 in Arlington County, Virginia, within the Eastern District of Virginia. Law enforcement met with CS-1 in a predetermined location and searched CS-1 and CS-1's vehicle. No contraband or United States currency were located. Law enforcement followed CS-1 from the initial meeting location to a parking lot in Arlington County, Virginia. CS-1 was under constant law enforcement surveillance.
- 13. MCCOY arrived as the passenger in a loaner vehicle registered to a local business. Law enforcement saw a black male with dreadlocks driving the Lexus. CS-1 was observed getting out of his vehicle, approaching the passenger side of the Lexus, and speaking to MCCOY through the open passenger window. Approximately one minute later, CS-1 was observed leaving the Lexus and getting back into his vehicle. A video recording device operated by CS-1 captured MCCOY and the individual driving the Lexus. The individual driving the Lexus matches a known governmental photograph of MOSBY. MCCOY and MOSBY are shown below during the March

14, 2023 deal.

MOSBY



MCCOY



14. CS-1 met law enforcement at a predetermined location for a debrief and to provide the pills he purchased for MCCOY and MOSBY. CS-1 advised that he gave MCCOY \$640 in

exchange for the pills, \$600 for the pills and \$40 for setting up the deal. CS-1 and CS-1's vehicle were searched a second time. No contraband or United States currency was located. The pills provided by CS-1 were blue and stamped with the "M" and "30" commonly seen to be fake oxycodone pills containing fentanyl. Law enforcement took custody of the pills and submitted them to DEA's Mid-Atlantic Laboratory for testing, which found the pills to actually contain heroin and have a net weight of approximately 10.7 grams.

B. Controlled purchase of 505 counterfeit pills on March 20, 2023

- 15. On or about March 15, 2023, under the direction and control of law enforcement, CS-1 texted MCCOY on MCCOY TELEPHONE, saying, "[T]hem blues almost gone I'm gone need sum more." On or about March 16, 2023, CS-1 and MCCOY began negotiating a deal for approximately 500 pills. MCCOY had to check with another individual on pricing, but later on March 16 MCCOY and CS-1 reached a deal for approximately 500 pills for \$2,500. On March 19, 2023, CS-1 and MCCOY confirmed the meeting location in Arlington County, Virginia. On or about March 20, 2023, law enforcement met with CS-1 in a predetermined location and searched CS-1 and CS-1's vehicle. No contraband or United States currency were located. Law enforcement followed CS-1 from the initial meeting location to a parking lot in Arlington County, Virginia. CS-1 was under constant law enforcement surveillance.
- 16. MCCOY arrived as the passenger in a black Lexus with an unknown temporary license plate on the vehicle. Law enforcement observed CS-1 approach the driver's side window of the black Lexus. CS-1 was observed shortly after getting back into his vehicle. CS-1 met law enforcement at a predetermined location for a debrief. CS-1 advised that he gave MCCOY \$2,500 for the pills and an additional \$100 for arranging the deal. MCCOY handed the pills to CS-1. During the interaction, CS-1 asked if the price could be lowered if he bought approximately 2,000

pills. The driver of the black Lexus replied, "I'll drop the number for you."

17. CS-1 met law enforcement at a predetermined location for a debrief. While CS-1's video footage did not pickup MCCOY and the driver of the black Lexus, CS-1 advised law enforcement that the driver was the same individual that was the driver for the March 14, 2023 deal. CS-1 and CS-1's vehicle were searched a second time. No contraband or United States currency was located. The pills were blue and stamped with the "M" and "30" commonly seen to be fake oxycodone pills containing fentanyl. Law enforcement took custody of the pills and submitted them to the Mid-Atlantic Laboratory for testing, which found the pills to actually contain heroin and have an approximate net weight of 54.07 grams.

C. Controlled purchase of 2,000 fentanyl pills on March 24, 2023

- 18. On or about March 22, 2023, under the direction and control of law enforcement, CS-1 asked MCCOY to "ask yo boy man wats the ticket for 2k???" Later on March 22, CS-1 and MCCOY arranged a purchase of approximately 2,000 pills for \$7,000. On or about March 23, 2023, MCCOY agreed to meet CS-1 the following day at a meeting location in Washington, D.C. CS-1 asked MCCOY if MCCOY was able to sell CS-1 a firearm. MCCOY responded that he could and later asked CS-1 if CS-1 wanted a "leg" with the firearm. I know, through my training and experience, that a "leg" is a street term for an extended firearm magazine.
- 19. On or about March 24, 2023, law enforcement met with CS-1 in a predetermined location and searched CS-1 and CS-1's vehicle. No contraband or United States currency were located. An undercover officer ("UC-1") rode in CS-1's vehicle to the deal. Law enforcement followed CS-1 and UC-1 from the initial meeting location to a parking lot in Washington, DC. CS-1 and UC-1 were under constant law enforcement surveillance. MCCOY arrived as the passenger in a black Lexus with a Maryland temporary license plate T1253854, which was

registered to MOSBY ("MOSBY VEHICLE"). MOSBY VEHICLE was visually consistent with the Lexus that showed up to the March 20, 2023 deal. MCCOY was observed getting into the back seat of CS-1's vehicle. Approximately one minute later, MCCOY exited CS-1's vehicle and got back into MOSBY VEHICLE. The deal was captured through video recordings.²

- 20. Before MOSBY VEHICLE departed, UC-1 realized MCCOY left his cell phone in CS-1's car. UC-1 flagged MOSBY VEHICLE down and handed MCCOY his phone through the window of MOSBY VEHICLE. UC-1 observed a black male between 30 and 40 years of age driving MOSBY VEHICLE. UC-1 later identified the driver of the Lexus as MOSBY.
- 21. CS-1 and UC-1 met law enforcement at a predetermined location for a debrief. CS-1 advised that he gave MCCOY \$5,000 and UC-1 advised that he gave MCCOY an additional \$2,000 in exchange for the pills. CS-1 and CS-1's vehicle were searched a second time. No contraband or United States currency was located. The pills were blue and stamped with the "M" and "30" commonly seen to be fake oxycodone pills containing fentanyl. Law enforcement took custody of the pills and submitted them to the Mid-Atlantic Laboratory for testing, which found the pills to contain fentanyl and have an approximate net weight of 219.2 grams.

D. <u>Controlled purchase of firearm on March 28, 2023</u>

22. On March 28, 2023, CS-1 and UC-1 travelled to Washington, D.C. to meet MCCOY about the firearm referenced in paragraph 11. MCCOY instructed CS-1 and UC-1 to travel to MCCOY's residence in Washington, D.C. to complete the deal. CS-1 and UC-1 met MCCOY at his residence and went inside. While inside, MCCOY explained that he had a source that builds "ghost" guns, or guns that are privately manufactured, but they had to travel to go purchase the gun. Later, CS-1, UC-1, and MCCOY exited the residence and headed to a restaurant

² Due to the angle of the camera, MCCOY's face is not shown during the deal.

parking lot located on Bladensburg Road, NE Washington, D.C., 20002. There, MCCOY met with his firearm source inside of the source's vehicle. MCCOY later returned to CS-1's vehicle and gave UC-1 a black 9mm, Polymer80 privately made firearm with no serial number and an extended magazine with five rounds of ammunition. UC-1 gave MCCOY \$1,000: \$900 for the firearm and \$100 for setting up the deal.

E. Controlled purchase of 1,000 fentanyl pills on April 11, 2023

23. On the morning of March 30, 2023, CS-1 and MCCOY discussed meeting at an address in Washington, D.C.; however, that meeting never occurred, partly because another individual was running late. At 12:23 p.m. EST, CS-1 told MCCOY to "give my number too yo boy tell him to call me." At approximately 12:24 p.m. EST, CS-1 received a text message from a phone number ending in x7712, a number law enforcement has tied to MOSBY ("MOSBY TELEPHONE").³ MOSBY stated, "This is will man. Hit me when u ready Brodie." Approximately 7 minutes later, MOSBY called CS-1. Among other things, MOSBY said he "had to get my tags for my car this morning" which caused the issue with meeting up earlier in the morning. CS-1 told MOSBY that "his boy D goona [sic] hit u" and gave MOSBY UC-1's phone number.

³ No subscriber information is listed for x7712 through T-Mobile, the provider that services x7712. However, as shown *infra* paragraphs 24–25, MOSBY showed up to two deals after arranging the deals with UC-1 through x7712. Additionally, toll analysis on x7712 showed MOSBY TELEPHONE receiving automated text messages from a storage business. Law enforcement identified a storage unit at the storage business' Capitol Heights, Maryland location. The identified storage unit is listed in a fictitious name, but lists MOSBY's actual birthdate on the paperwork. A federal GPS warrant executed on MOSBY VEHICLE in the District of Columbia showed MOSBY VEHICLE near the area of the storage unit several times in March 2024. For these reasons, law enforcement believes x7712 is operated by MOSBY.

⁴ MCCOY's first name is William. Based on the context, I believe MOSBY was identifying himself as "Will's man."

- 24. Later on March 30, MOSBY contacted UC-1 through MOSBY TELEPHONE. Between March 30 and April 11, 2023, UC-1 and MOSBY were in communication to arrange a purchase of approximately 1,000 pills from MOSBY in exchange for \$4,000. On April 11, 2023, UC-1 met with law enforcement at a predetermined location in preparation of the meeting with MOSBY. UC-1 was followed by law enforcement to a parking lot in Arlington County, Virginia where MOSBY met UC-1. The deal was originally planned to occur in Washington, D.C., but due to traffic, MOSBY asked if UC-1 "wanted to meet [MOSBY] at your spot." UC-1 responded, "Da 1st Spot in va?" MOSBY replied, "Yea . . . That parking lot."⁵
- 25. MOSBY arrived in the parking lot driving MOSBY VEHICLE. MOSBY got out of MOSBY VEHICLE and met UC-1 at UC-1's vehicle. UC-1 gave MOSBY \$4,000 in exchange for a bag containing approximately 1,000 pills. MOSBY was captured on video by UC-1, as shown below. MOSBY and UC-1 parted ways and UC-1 drove to a predetermined location for a debrief. The pills were blue and stamped with the "M" and "30" commonly seen to be fake oxycodone pills containing fentanyl. Law enforcement took custody of the pills and submitted them to the Mid-



⁵ Both the March 14, 2023 deal and the April 11, 2023 deal took place in the same parking lot located in Arlington County, Virginia.

Atlantic Laboratory for testing, which found the pills to contain fentanyl and have an approximate net weight of 109.8 grams.

- F. Controlled purchase of 1,000 fentanyl pills on May 19, 2023
- 26. On April 26, 2023, UC-1 and MOSBY started to discuss another future deal. UC-1 told MOSBY through MOSBY TELEPHONE he would "have to come see u soon," to which MOSBY responded, "Let me know when . . . And how many . . . Imma have to set the price at 3\$." Between May 16, 2023 and May 19, 2023, UC-1 and MOSBY were in communication to arrange a purchase of approximately 1,000 pills from MOSBY in exchange for \$3,000. On May 19, 2023, UC-1 met with law enforcement at a predetermined location in preparation of the meeting with MOSBY. UC-1 was followed by law enforcement to a parking lot in Arlington County, Virginia where MOSBY met UC-1. MOSBY arrived in the parking lot driving MOSBY VEHICLE. MOSBY got out of MOSBY VEHICLE and met UC-1 at UC-1's vehicle. UC-1 gave MOSBY \$3,000 in exchange for a bag containing approximately 1,000 pills. MOSBY was captured on video by UC-1, as shown below. 6 MOSBY and UC-1 parted ways and UC-1 drove to a predetermined location for a debrief. The pills were blue and stamped with the "M" and "30" commonly seen to be fake oxycodone pills containing fentanyl. Law enforcement took custody of

⁶ The timestamp below shows the wrong date and time due to a technical error.

the pills and submitted them to the Mid-Atlantic Laboratory for testing, which found the pills to contain fentanyl and have an approximate net weight of 109.4 grams.



- G. Controlled purchase of 2,000 fentanyl pills on November 27, 2023
- 27. On or about November 25, 2023, CS-1, under the direction and control of law enforcement, called MCCOY on MCCOY TELEPHONE to tell MCCOY CS-1 was going to be in the area starting the next day. CS-1 told MCCOY to "let your boy know imma need like a thousand." MCCOY responded, "Alright." On or about November 26, 2023, CS-1 and MCCOY arranged a purchase of approximately 2,000 pills, rather than 1,000, for \$6,000. MCCOY agreed to meet CS-1 in Arlington County, Virginia on November 27, 2023. Law enforcement met with

CS-1 in a predetermined location and searched CS-1 and CS-1's vehicle. No contraband or United States currency were located. Law enforcement followed CS-1 from the initial meeting location to a parking lot in Arlington County, Virginia. CS-1 was under constant law enforcement surveillance.

At approximately 12:20 p.m., law enforcement saw MOSBY VEHICLE enter the predetermined deal location. MCCOY was observed by law enforcement leaving the passenger side of MOSBY VEHICLE and entering CS-1's vehicle. CS-1 gave MCCOY \$6,000 for approximately 2,000 pills and an extra \$100 for arranging the deal. MCCOY was caught on video, as shown below. MCCOY left CS-1's car and entered the passenger side of MOSBY VEHICLE. MOSBY VEHICLE then left the area. The driver of MOSBY VEHICLE never exited. CS-1 traveled from the deal location to a predetermined location for a debrief. CS-1 and CS-1's vehicle were searched a second time. No contraband or United States currency was located. The pills were blue and stamped with the "M" and "30" commonly seen to be fake oxycodone pills containing fentanyl. Law enforcement took custody of the pills and submitted them to the Mid-Atlantic Laboratory for testing, which found the pills to contain fentanyl and have an approximate net weight of 217.69 grams.

⁷ Due to the heavy tint of the windows, the driver could not be visually identified.



- H. Controlled purchase of 1,000 fentanyl pills on December 13, 2023
- 29. On or about December 11, 2023, under the direction and control of law enforcement, CS-1 texted MCCOY through MCCOY TELEPHONE for MCCOY to "tell yo boy I wanna grab 1k tmrw." Later over the phone, MCCOY confirmed the price would still be \$3 per pill. The meet could not occur on December 12, so MCCOY agreed to meet CS-1 in Washington, D.C. on December 13. Law enforcement met with CS-1 in a predetermined location and searched CS-1 and CS-1's vehicle. No contraband or United States currency were located. Law enforcement followed CS-1 from the initial meeting location to a parking lot in Washington, DC. CS-1 was under constant law enforcement surveillance.
- 30. The morning of December 13, law enforcement surveilled MOSBY near his residence and watched MOSBY enter the driver side of MOSBY VEHICLE. Law enforcement saw an unknown passenger in MOSBY VEHICLE. Law enforcement lost contact with MOSBY

VEHICLE at approximately 11:20 a.m. on December 13. At approximately 12:22 p.m. on December 13, MOSBY VEHICLE arrived at the deal location. MCCOY got out of MOSBY VEHICLE and got into CS-1's vehicle. CS-1 gave MCCOY a total of \$3,100, \$3,000 for the pills and \$100 for setting up the deal. MCCOY gave CS-1 a bag containing approximately 1,000 pills. MCCOY exited CS-1's vehicle and got back into MOSBY VEHICLE. CS-1 traveled from the deal location to a predetermined location for a debrief. CS-1 and CS-1's vehicle were searched a second time. No contraband or United States currency was located. The pills were blue and stamped with the "M" and "30" commonly seen to be fake oxycodone pills containing fentanyl. Law enforcement took custody of the pills and submitted them to the Mid-Atlantic Laboratory for testing, which found the pills to contain fentanyl and have an approximate net weight of 100.5 grams.

31. Law enforcement believes MOSBY was the driver for the November 27 and December 13 deals. As described in paragraph 19, MOSBY VEHICLE is registered to MOSBY. Law enforcement has only ever seen MOSBY drive MOSBY VEHICLE. The only individual to show up to the prior deals other than MCCOY has been MOSBY. Additionally, law enforcement saw MOSBY driving MOSBY VEHICLE only an hour before the deal on December 13.

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⁸ The deal was not recorded.

CONCLUSION

32. Based on the foregoing, I respectfully submit that there is probable cause to believe that, from at least in or around March 2023 and continuing through the present, within the Eastern District of Virginia and elsewhere, the defendants, PHILLIP DONNELL MOSBY ("MOSBY") and WILLIAM ANTHONY MCCOY ("MCCOY"), a/k/a "Squilz," did knowingly and intentionally combine, conspire, confederate, and agree with each other and others, known and unknown, to distribute 400 grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (commonly referred to as fentanyl), a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 846.

Respectfully submitted,



Randall M. Mason, Jr.
Task Force Officer
Drug Enforcement Administration

Attested to in accordance with the requirements of Fed. R. Crim. P. 4.1 via telephone on April 12, 2024:

Lindsey R Vaala Vaala Date:

Digitally signed by Lindsey R Vaala

Date: 2024.04.12 11:01:17 -04'00'

Hon. Lindsey R. Vaala United States Magistrate Judge Eastern District of Virginia